

NEW HAMPSHIRE BOARD OF PHARMACY

121 South Fruit Street, Ste 401

Concord, New Hampshire 03301-2412

603-271-2350



PUBLIC MEETING MINUTES July 18, 2018

Board of Pharmacy Meeting convened at 9:10 a.m. with the following Commissioners present; Commissioner Merchant, Commissioner Fanaras, Commissioner Rochefort, Commissioner Genovese, Commissioner Bouchard.

Absent: Commissioner Laliberte, Commissioner Pervanas

1. Consent Agenda Review:

Move Off: a. Public Minutes 6/20/18 moved to item 18
e. Cheshire Medical Center, Keene moved to item 17
k. Rite Aid Albertsons Company moved to item 19

1a Add to the Agenda:

Item 12	Shirley Shen, Pharmacy Intern's presentation
Item 13	CVS Request for a re-hearing
Item 14	Amend and Extend PDMP Contract
Item 15	Discuss moving September 19 th meeting to September 12 th
Item 16	Strategic Planning Meeting – schedule it
Item 17	Item e from the Consent Agenda
Item 18	Item a from the Consent Agenda
Item 19	Item k from the Consent Agenda

On motion from Commissioner Genovese with a second from Commissioner Rochefort to approve the remaining items on the Consent Agenda, with a Board Vote of 5-0-0.

Remaining Items:

- b. PIC Change Walgreens, Derry #10108, Lindsay Grant
- c. PIC Change Walmart, Derry #10-1753, Paul Boutrus
- d. PIC Change Walmart, Epping #10-3535, Kristine Colby
- f. PIC Change Hampstead Hospital, Hampstead, Matthew Evans
- g. PIC Change Walmart, Seabrook #10-1762, Albert Rogers
- h. PIC Change Walgreens, Nashua #09613, Diane Sweeney
- i. PIC Change CVS, Keene, #17203, Daniel Callahan
- j. FYI Hospice Nurse Drug Destruction
- l. FYI-OPLC/Board Commissioners Council-Chairs meeting.
- m. Board report – July.

2. PDMP monthly report. On motion from Commissioner Genovese with a second from Commissioner Fanaras to approve the monthly report with a Board Vote of 5-0-0.
3. Pharmacist corresponding responsibility in regards to the DEA. DEA requires that a pharmacist/dispenser cannot blindly fill a prescription. It is causing a lot of friction between the writing community and the dispensing community. Chief of Compliance/Administrator Bullek and Commissioner Merchant went to a meeting with the Medical Society community and we met with the Medical Board and are starting to build a coalition group to come up with an educational program through these discussions to create awareness, why it is there and what we can do about it, and to find a plausible solutions collectively in a positive manner so that together we can take care of the patient, who ultimately is caught in the middle. This meeting will be posted on the Board of Pharmacy website and we are hoping for the beginning of August. We are hoping to have all the stakeholders together for this.
4. Virtual Manufacturers and 3PL's – Anyone who holds the NDC (new drug contract) is licensed with our office. The Board's office needs to further define these licensee's. Anyone who is touching the product, needs to be licensed with our office, but we need to define the components; what, how they work in context. The Board's office needs to find out how close they are to the public. We have some companies that own the NDC, but insist that they need to be licensed. API – Active Pharmaceutical Ingredient.
5. USP 795 revision comments & suggestions. Commissioner Rochefort has been reviewing the proposed changes to USP and they have asked for suggestions, comments, etc. Anyone can comment. Since the Board of Pharmacy rules reference the USP 795 and USP 797, we should comment. Commissioner Rochefort has put together comments that he would like the Board to review and provide feedback and if the Board could approve his comments today, then he could work with the Board's office to upload. On motion from Commissioner Fanaras with a second from Commissioner Rochefort to approve his comments and to upload, with a Board Vote of 5-0-0.
6. Prescription Drug Monitoring Program (PDMP). On motion from Commissioner Fanaras with a second from Commissioner Rochefort to amend and extend the current PDMP vendor contract, with a Board Vote of 5-0-0.
7. Website for retail self-inspection final draft. Chief of Compliance/Administrator Bullek would like the Board members to go online and go through it and provide any feedback. FYI.
8. Rules requested by the Audit, Ph 2100 Inspections, Ph2200 Investigations, and Ph2300 Violations. Attorney Lamberti stated he would get started on these rules, Board members asked to send edits or changes to Chief of Compliance/Administrator Bullek.
- ** Commissioner Merchant would like to say a Public Thank You to Mr. Potter from the Medical Society for his assistance in working together with us to come together with regards to the Pharmacist Corresponding responsibility issue.
9. Final approval Ph800 Pharmacy Technician Rules – Tabled.
10. Final approval Ph1600 Intern rules – Tabled.
11. DHHS request for assistance, Asthma program: Chronic Disease Management Grant – FYI.
12. Shirley Shen – Board of Pharmacy Intern to present her report to the Board – FYI.

13. CVS request for a rehearing. Let the record reflect all present Board members received the request for a re-hearing document and acknowledge that they have read its contents.

On motion from Commissioner Rochefort to grant a re-hearing. Let the record reflect that there was no 'second'. Commissioner Rochefort withdrew the motion.

On motion from Commissioner Genovese to deny a re-hearing with a second from Commissioner Bouchard. Board Vote of 5-0-0.

14. PDMP amend and extend current contract. On motion from Commissioner Genovese with a second from Commissioner Fanaras to approve this request, with a Board Vote of 5-0-0.
15. Request to move the September 19th Board meeting to September 12th is unanimous.
16. Strategic Meeting. Commissioner Merchant would like to hold a strategic meeting to create a long term outlook as to the direction the Board would like to go with Rules and the Legislative process for the next year. Commissioner Merchant will send out a doodle to find a date that works for everyone.
17. Item e - Cheshire Medical Center, Keene – PIC Change request moved off of the consent agenda. Commissioner Genovese is recused. On motion from Commissioner Fanaras with a second from Commissioner Bouchard, with a Board Vote of 4-0-1 Commissioner Genovese recused, Commissioner Pervanas and Commissioner Laliberte absent.
18. Item a - Public meeting minutes – Tabled for further information.
19. Item K – Rite Aid Albertsons company merger. On motion from Commissioner Rochefort with a second from Commissioner Genovese to approve this process for one month only; if the change does not happen within that one month, then it has to be brought back before the Board for review.

*On Motion from Commissioner Fanaras with a second from Commissioner Genovese to adjourn the public meeting at 11:30 a.m.*On motion from Commissioner Rochefort with a second from Commissioner Bouchard to move into Non-Public at 11:50 p.m.

**At the end of the Public Agenda, the Board will go into a Non-Public meeting under RSA 91-A:3, II(c) Matters which, if discussed in public, would likely affect adversely the reputation of any person, other than a member of this board, unless such person requests an open meeting. This exemption shall extend to include any application for assistance or tax abatement or waiver of a fee, fine or other levy, if based on inability to pay or poverty of the applicant.*

Chair Signature of Approval _____ Date _____